

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

STACY APPLE,

Plaintiff(s),

vs.

JO ANNE B. BARNHART,
Commissioner of Social Security,

Defendant(s).

Case No. 4:05CV2358 JCH
(LMB)

ORDER

This matter is before the Court on Defendant's Motion to Reverse and Remand, filed July 20, 2006. Pursuant to 28 U.S.C. § 636, the Court referred this matter to United States Magistrate Judge Lewis M. Blanton, who issued a Report and Recommendation on August 1, 2006. Magistrate Judge Blanton recommends that the Court grant Defendant's Motion to Reverse and Remand. Magistrate Judge Blanton further recommends that the Court reverse and remand this matter to the Commissioner for further proceedings, pursuant to Sentence Four of 42 U.S.C. § 405(g). Neither party has filed objections or otherwise responded to the Report and Recommendation.

After review of the entire record in this matter, the Court concurs in the Magistrate Judge's findings, and will adopt the Report and Recommendation. Accordingly, the Court will grant Defendant's Motion to Remand, and reverse and remand this matter to the Commissioner for further administrative proceedings. Specifically, the Administrative Law Judge will be directed to (1) conduct a supplemental hearing and afford Plaintiff the opportunity to submit additional evidence; (2) re-evaluate evidence relevant to the severity of Plaintiff's shoulder impairment, and consider whether additional consultative evaluations are required to develop the record fully; (3) reassess Plaintiff's residual functional capacity if Plaintiff's impairments do not meet or equal a listing; and (4) obtain

vocational expert testimony to clarify the effects of Plaintiff's impairments upon the occupational base, if the ALJ finds that Plaintiff's residual functional capacity precludes return to her past work.

Accordingly,

IT IS HEREBY ORDERED that the Report and Recommendation of the Magistrate Judge (Doc. No. 13) is adopted and incorporated herein.

IT IS FURTHER ORDERED that Defendant's Motion to Reverse and Remand (Doc. No. 12) is **GRANTED**.

IT IS FURTHER ORDERED that, pursuant to Sentence Four of 42 U.S.C. § 405(g), this matter is reversed and remanded to the Commissioner for further proceedings consistent with the Magistrate Judge's Report and Recommendation and with this Order. A separate Order of Remand shall accompany this Order.

Dated this 15th day of August, 2006.

/s/ Jean C. Hamilton
UNITED STATES DISTRICT JUDGE